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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL



IN THE MATTER OF THE APPLICATION OF
VALLEY UTILITIES WATER COMPANY,
INC., AN ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE OF
ITS UTILITY PLANT AND PROPERTY AND
FOR AN INCREASE IN ITS RATES AND
CHARGES FOR UTILITY SERVICE BASED
THEREON.

DOCKET NO. W-01412A-12-0195

PROCEDURAL ORDER

BY THE COMMISSION:

On May 30, 2012, Valley Utilities Water Company, Inc. ("Valley Utilities") filed with the Arizona Corporation Commission ("Commission") a permanent rate case application using a test year ending December 31, 2011. In addition to requesting a permanent rate increase, Valley Utilities' application requests that the Commission make permanent the Arsenic Remediation Surcharge Mechanism ("ARSM") approved in Decision No. 71287 (October 7, 2009) and set to expire on the earlier of the effective date of the rates established in this proceeding or August 31, 2013.

On July 3, 2012, the Commission's Utilities Division ("Staff") filed a Letter of Sufficiency stating that Valley Utilities' rate application had met the sufficiency requirements as outlined in Arizona Administrative Code ("A.A.C.") R14-2-103 and that Valley Utilities had been classified as a Class B Utility.

On July 5, 2012, a Procedural Order was issued establishing a procedural schedule for this matter, which included a procedural conference to be held on July 20, 2012, for the purpose of discussing the procedural schedule and any additional preliminary issues raised by the parties.

On July 6, 2012, Valley Utilities filed a Motion for Changes to Procedural Order, requesting changes to the deadlines for prefled testimony other than rejoinder testimony and to the dates for the prehearing conference and hearing. Valley Utilities also requested that the July 20, 2012, procedural conference be vacated or rescheduled, due to the unavailability of lead counsel, and asserted that

1 Staff had no objection to the requested schedule changes. Valley Utilities stated that alternate
2 counsel was available to attend the July 20, 2012, procedural conference if held.

3 On July 20, 2012, a procedural conference was held as scheduled before a duly appointed
4 Administrative Law Judge of the Commission, at the Commission's offices in Phoenix, Arizona, with
5 Valley Utilities and Staff appearing through counsel. It was determined that the deadlines for
6 prefiled testimony other than rejoinder testimony would be altered as requested; that the deadline for
7 rejoinder testimony would be February 19, 2013; and that the dates for the prehearing conference and
8 hearing would be altered as requested. It was further determined that a Procedural Order would be
9 issued setting forth the revised procedural schedule, with any additional conforming date changes.

10 On July 23, 2012, a Procedural Order was issued establishing the revised procedural schedule
11 for this matter, consistent with the discussions at the procedural conference.

12 On August 24, 2012, Valley Utilities filed Notice of Filing Certificate of Publication and
13 Proof of Mailing, providing that the prescribed notice had been mailed to Valley Utilities' customers
14 on August 16, 2012, and published in the *West Valley View* on August 17, 2012.

15 On December 31, 2012, Staff filed Staff's Motion to Extend Filing Due Date, requesting an
16 extension of the deadline to file Staff's direct testimony, due that day, until January 7, 2013, because
17 of Staff resource constraints. Staff added that it would not object to corresponding extensions of time
18 to other elements of the procedural schedule, but suggested that time periods for rebuttal and
19 surrebuttal could be shortened by two days each to accommodate the existing hearing date, if Valley
20 Utilities preferred to keep that hearing date.

21 On January 2, 2013, Valley Utilities filed a Response to Staff's Motion to Extend Filing Due
22 Date, arguing that Staff's motion is not well received, that Valley Utilities would be severely
23 prejudiced if its ARSM were to expire before its new rates went into effect, that Valley Utilities
24 should not have its time periods shortened due to Staff's requested extension, and that any Procedural
25 Order granting Staff's requested extension also afford Valley Utilities time to prepare its rebuttal and
26 retain the existing hearing date.

27 On January 3, 2013, Staff filed Staff's Reply Motion, stating that Staff had discussed the
28 dispute with Valley Utilities and reached a mutually acceptable compromise position that would

1 extend Staff's direct testimony deadline to January 7, 2013, and Valley Utilities' rebuttal testimony
2 deadline to January 25, 2013, while leaving the hearing dates and other remaining procedural dates
3 unchanged.

4 Thus, it is now reasonable and appropriate to amend the procedural schedule for this matter as
5 the parties have agreed.

6 IT IS THEREFORE ORDERED that the procedural schedule and requirements established in
7 the Procedural Order of July 23, 2012, remain in full force and effect, except that the filing deadline
8 for **Staff's direct testimony** is extended to **January 7, 2013**, and the filing deadline for **Valley**
9 **Utilities' rebuttal testimony** is extended to **January 25, 2013**.

10 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
11 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
12 hearing.

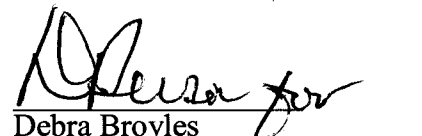
13 DATED this 3rd day of January, 2013.

14
15
16 
17 SARAH N. HARPRING
ADMINISTRATIVE LAW JUDGE

18 Copies of the foregoing mailed/delivered
19 this 3rd day of January, 2013, to:

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By:

25 
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27 Secretary to Sarah N. Harpring
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